



Certificate of Public Convenience and
Necessity Application

210 Lavina Street

Sussex County

July 7, 2017

Mr. Kevin Neilson
Public Service Commission
861 Silver Lake Blvd.
Suite 100
Dover, DE 19904

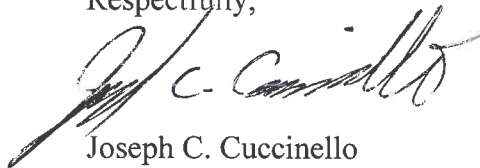
Re: Wastewater CPCN Application – 210 Lavina Street

Dear Mr. Neilson;

Enclosed you will find the CPCN application for 210 Lavina Street located in Sussex County, Delaware.

One original copy the application has been included. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-747-1308.

Respectfully,



Joseph C. Cuccinello
CPCN Coordinator
Tidewater Utilities, Inc.

cc: Ms. Dorothy Morris, OSP w/enclosure
Mr. John Barndt, DNREC w/enclosures
Mr. John Ashman, Sussex County w/enclosures

**APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY REQUIRED TO BEGIN OR EXPAND THE BUSINESS
OF A PUBLIC WASTEWATER UTILITY**

BEFORE THE PUBLIC SERVICE COMMISSION

This form of application must be filed for each new and expanding wastewater system pursuant to 26 Del. C. §203D(d).

WASTEWATER UTILITIES: **210 Lavina Street**

1. Basis for application:

- ☐ a. The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government (26 Del. C., §203D (d)(1); or
- ☒ b. The applicant is in possession of a petition signed by all of the parcel owners of the proposed territory to be served; (26 Del. C., §203D (d)(2)); see **Exhibit A**
- ☐ c. The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; (26 Del. C., §203D (d)(3)).

2. To obtain a Certificate of Public Convenience and Necessity ("CPCN") to provide adequate wastewater service to customers.

3. Tidewater Environmental Services, Inc. requests an informal fact finding procedure during review of the application.

- a) Full legal name and address of Applicant:
Tidewater Environmental Services, Inc.
1100 South Little Creek Road
Dover, Delaware 19901
- b) Full name of the Utility's designated representative:
Bruce Patrick
- c) Phone no: 302-734-7500
- d) Fax no: 302-734-9295
- e) Email address: bpatrick@tuiwater.com


5. Supporting documentation required by 26 Del. C. §203E(1), including evidence that all landowners of the proposed territory have been notified of application: **Exhibit B**

6. A complete list of county tax map parcel number(s) for the area covered by the application: **Exhibit C**

7. Check made out to the Delaware Public Service Commission in the amount of \$300.00.

8. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: **Exhibit C**
9. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
 - a) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable wastewater treatment standards; and
 - b) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Environmental Services, Inc. has materially failed to provide adequate or proper safe wastewater services to existing customers.
10. As shown in Exhibit A, a majority of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permitting Applicant to provide them with public wastewater services.
 - a) A copy of the application will be sent to the Office of State Planning and Department of Natural Resources and the County Engineering/Utility on or about July 7, 2017.
 - 1) The current status of such Application is: **Sent**
 - b) The Applicant provides the following additional information with this application;
 - 1) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers are currently on file with the PSC.
 - 2) A chart, which depicts the inter-company relationships is currently on file with the PSC.
 - 3) A map identifying all areas, including all towns, cities, counties and other government subdivisions to which service is already provided.
 - 4) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years are currently on file with the PSC.
 - 5) Applicant's audited financial statements, 10K's and all proxy material for the last two years are currently on file with the PSC.
 - 6) Any additional information required by PSC Staff will be made available on request.

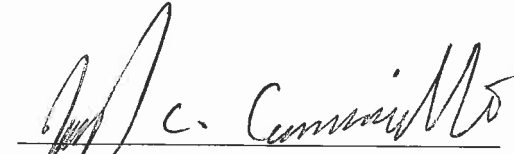
Respectfully submitted,



Bruce E. Patrick
General Manager

Certification of Landowner Information Accuracy

By submitting this application, Tidewater Environmental Services Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.



Joseph C. Cuccinello
CPCN Coordinator

July 7, 2017

Via DelaFile

Donna L. Nickerson, Secretary
Delaware Public Service Commission
861 Silver Lake Blvd
Cannon Building, Suite 100
Dover, DE 19904

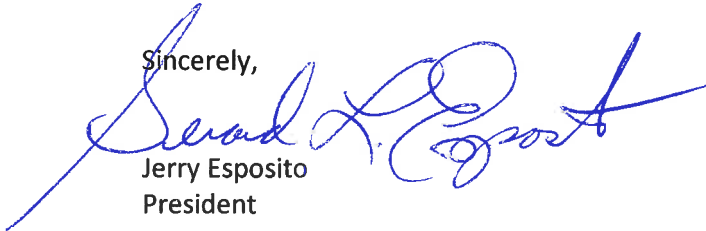
RE: Wastewater Application – 210 Lavina Street Milton

On July 7, 2017 Tidewater Environmental Services, Inc. (TESI) filed an application with the Public Service Commission (PSC) requesting a Certificate of Public Service Convenience and Necessity (CPCN) to provide wastewater service to one parcel of land (235-20.00-3.00) located in Sussex County.

TESI requests that the PSC waive the publication timing requirement as set forth in 26 Del. Admin C. §6001-7.2, which is allowed by Rule of 2.2 of the CPCN Regulations and permit the application for a CPCN to proceed expeditiously. TESI submits that the grant of the requested waiver is in the public interest because the timing requirement is an administrative rather than statutory requirement and TESI has provided all necessary information about the parcel in the application to the PSC. It is TESI's understanding that no customer complaints have been received regarding the application. TESI submits the grant of a waiver should not be unduly disruptive for customers and provides for an administratively efficient use of resources. Lastly, an extension of wastewater service to the parcel in this CPCN application will not harm or degrade TESI's ability to provide reliable wastewater service for present customers. As such, TESI requests the PSC grant a waiver of the timing requirements and grant a CPCN so TESI may begin to initiate wastewater service to the indicated parcel.

Please feel free to contact Joe Cuccinello at (302) 747-1308 if you have any questions.

Sincerely,



Jerry Esposito
President

FORM OF VERIFICATION

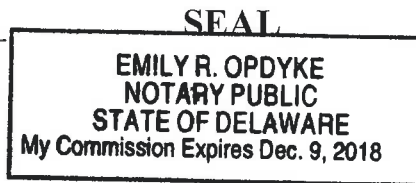
STATE OF Delaware)
) SS
COUNTY OF Kent)

On this 7th day of July, 2017, personally came before me, the subscriber, a Notary Public in and for the state and county aforesaid, Gerard L. Esposito [name of individual who is signing], known to me personally to be such or having presented to me satisfactory evidence of identity, and acknowledged this document to be [his or her] act and deed that the signature of such individual is in [his or her] own proper handwriting, and that the facts set forth in this waiver [type of filing, e.g., complaint, application, petition, etc.] are true and correct to the best of [his or her] knowledge, information, and belief.

Gerard L. Esposito
Signature of individual
Printed Name: Gerard L. Esposito

SIGNED AND SWORN (OR AFFIRMED) before me on this 7 day of July, 2017, by Gerard L. Esposito (name of individual who signed above).

Emily R. Opdyke
Signature of Notarial Officer
Notary Public
Title (e.g., Notary Public)



My Commission Expires:

December 9, 2018

June 28, 2017

Delaware Public Service Commission
861 Silver Lake Blvd.
Cannon Building, Suite 100
Dover, DE 19904

To Whom It May Concern:

This letter is to request expedited approval of inclusion of our property—210 Lavinia St., Milton—into the sewer service territory of Tidewater Environmental Services, Inc. Although this property is and has been in the town of Milton for many years, apparently the property was left out of the Milton service territory when the town contracted with Tidewater to provide sewer service.

We are having our dream house built on this lot and the house is close to being finished; the builder's contract requires the house to be completed and a Certificate of Occupancy issued by August 15, 2017. Further, because we have a construction loan, missing this deadline will trigger a penalty of over \$4,200 and potentially void the conversion to a permanent loan. As you can tell, not getting sewer service before August 15 has the practical effect of not getting our Certificate of Occupancy on time and triggering a real financial hit of thousands of dollars.

Thanks for your attention,

Handwritten signatures of Keith E. Steck and Glenn M. Jones. The signature of Keith E. Steck is on the left, and the signature of Glenn M. Jones is on the right, with the word 'and' written between them.

Keith E. Steck and Glenn M. Jones

EXHIBIT

A

TESI - Wastewater Petition
1-877-720-9272
www.tuiwater.com

**PETITION FOR INCLUSION IN
TIDEWATER ENVIRONMENTAL SERVICES, INC.
WASTEWATER SERVICE TERRITORY**

In accordance with 26 Delaware Code 203-D., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the wastewater service territory of Tidewater Environmental Services, Inc. I/We understand that all of the property owners must sign this petition in order for Tidewater Environmental Services, Inc. to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide wastewater service to the following property/properties:

Tax Parcel Number(s): 235-20.00-3.00

Property Owner(s): Keith Steck
Glenn M. Jones

Owner's Signature(s): **X** Keith E. Steck

Date: 6/28/17

Owner's Signature(s): **X** Glenn M. Jones

Date: 6/28/17

Please sign and date at the **X** and then return the signed petition to the following address:

Tidewater Utilities, Inc.
1100 S. Little Creek Road
Dover, DE 19901

[Government](#)[Citizens](#)[Visitors](#)[Business](#)[Services](#)

Map Search

Sussex County, Delaware - Zoning and Sales Information

PROPERTY DETAILS

- [General Information](#)
- [Appraisal & Assessment Info](#)
- [Sales Info](#)
- [Map of Property](#)

General Information

District-Map-Parcel:

2-35 20.00 3.00

Owner(s) Names:

STECK , KEITH GLENN M JONES

Property Legal Description:

NEAR MILTON N/LAVINA
ST/HOLLY LAKE CIRCLE

Billing Address:

22650 NEPTUNE ROAD
MILTON , DE 19968

Land Use:

Residential, Vacant Lot, No Improvement

Zoning:

Agricultural/Residential

Town/Municipality:

Milton

Fire District(s):

Milton Fire District

Tax Ditch(es):

-No Ditch Records-

Sewer/Water District:

-No Sewer Records-

Watershed:

BROADKILL-SMYRNA

EXHIBIT

B

TIDEWATER
ENVIRONMENTAL SERVICES, INC.
A Middlesex Water Company Affiliate

June 29, 2017

Keith Steck
Glenn M. Jones
22650 Neptune Road
Milton, DE 19968

RE: 210 Lavina Street

Dear Mr. Steck & Mr. Jones:

Pursuant to 26 **Delaware Code**, Section 203D(d)(2), an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about July 7, 2017. Your property has been included within an area Tidewater Environmental Services, Inc. (TESI) intends to serve with public wastewater and we are required to inform you of certain information. The area to be served is 210 Lavina Street. If you agree to the inclusion of your property in the proposed service area, no action on your part is required. Inclusion of your property in a CPCN area does not obligate you to connect immediately to our system; however, should your existing system fail and public wastewater services are deemed to be legally and publicly available, you may then be required to connect.

Under Delaware law, the Public Service Commission cannot grant a CPCN to TESI if a majority of the landowners in the proposed wastewater service area object to the issuance of the CPCN. If you object to the issuance of a CPCN for the proposed area that includes your property, you must notify the Commission, in writing, within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.

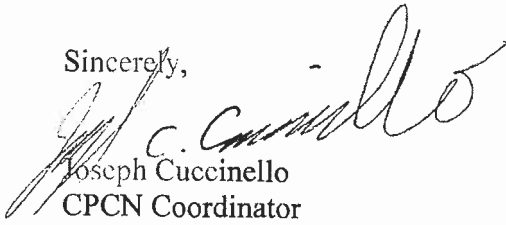
You may also request a public hearing on this matter. The purpose of the public hearing will be to demonstrate why it would not be in the public interest for the Commission to grant TESI a CPCN to provide wastewater services to the proposed area. A request for a public hearing must be made in writing to the Commission within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.

Written notice of your decision to object to the issuance of the CPCN or your written request for a public hearing should be sent to the Secretary of the Delaware Public Service Commission at the address shown below. Any written notice sent to the Commission must include the description of the service area referred to above, your tax parcel identification number, and the name of the applicant for the CPCN so the Commission will be able to identify the CPCN application to which your notice is related.

Secretary
Delaware Public Service Commission
861 Silver Lake Boulevard
Cannon Building
Suite 100
Dover, Delaware 19904

Questions regarding objections or public hearings may be directed to: Public Service Commission at its toll-free number (within Delaware) 1-800-282-8574, by Text Telephone ("TT"), by regular telephone at (302) 736-7500, or by e-mail to kevin.neilson@state.de.us.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Cuccinello", written over the printed name and title.

Joseph Cuccinello
CPCN Coordinator

USPS Tracking® Results

FAQs > (<http://faq.usps.com/?articleId=220900>)

Track Another Package +

Remove X

Tracking Number: 70041160000594578216

Delivered

Updated Delivery Day: Saturday, July 1, 2017 ⓘ

Product & Tracking Information

See Available Actions

Postal Product:

Features:

Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
July 1, 2017, 11:21 am	Delivered, Left with Individual	MILTON, DE 19968
Your item was delivered to an individual at the address at 11:21 am on July 1, 2017 in MILTON, DE 19968.		
July 1, 2017, 8:36 am	Out for Delivery	MILTON, DE 19968
July 1, 2017, 8:26 am	Sorting Complete	MILTON, DE 19968
July 1, 2017, 6:54 am	Arrived at Unit	MILTON, DE 19968

See More ▾

Available Actions

Text Updates ▾

Email Updates ▾

7004 1160 0005 9457 8216

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.35
Certified Fee	5.21
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.56

Postmark: JUN 29 2017

Sent To: Keith Steck & Glenn Jones
 Street, Apt. No. or PO Box No. 22650 Neptune Rd
 City, State, ZIP+4 Milton, DE 19168

PS Form 3800, June 2002 See Reverse for Instructions

EXHIBIT

C

Exhibit C

Tax Map Parcel Numbers

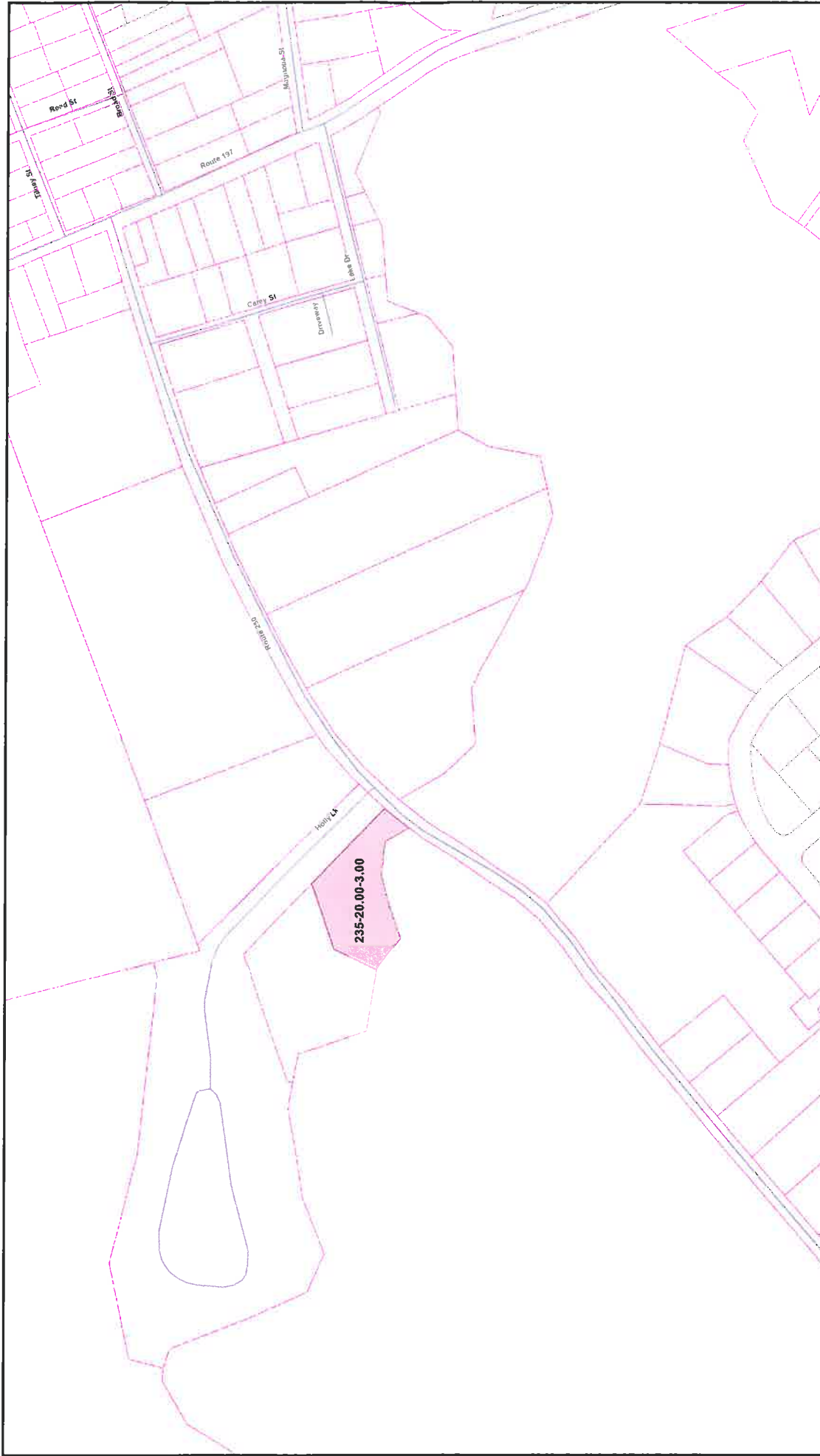
Acres

Owners

235-20.00-3.00

0.95

Keith Steck
Glenn M. Jones
22650 Neptune Road
Milton, DE 9968



A-17-003
1 inch = 200 feet
Map 1



Legend
Scale
1 inch = 200 feet

TIDEWATER CPCN APPLICATION MAP WasteWater
UTILITIES, INC.
210 Lavina Street
Sussex County, DE

A Middlexas Water Company Affiliate

The Landbase information shown herein has been compared from available data. It is not a warranty of accuracy. The actual boundaries of features can only be determined by an appropriate survey.

PRINT DATE: 07/05/2017
DATE OF COMPIATION: 07/05/2017
SHEET LAYOUT BASED ON THE DELAWARE
STATE PLANE COORDINATE SYSTEM